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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/738,013	12/14/2000	Herbert D. Jellinek	FUSN1-01304US0	1471
28554 7590 07/18/2008 VIERRA MAGEN MARCUS & DENIRO LLP 575 MARKET STREET SUITE 2500 SAN FRANCISCO, CA 94105				
EXAMINER				
POLLACK, MELVIN H				
ART UNIT		PAPER NUMBER		
2145				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/738,013

Applicant(s)

JELLINEK, HERBERT D.

Examiner

MELVIN H. POLLACK

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 10-17, 20-25, 27-36, 38-45 and 47 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 2-6, 10-17, 20-25, 27-36, 38-45 and 47 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 16 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☒ Other: see attached office action

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 2-6, 10-17, 20-25, 27-36, 38-45, and 47 have been considered but are moot in view of the new ground(s) of rejection.
2. In the response to the last office action, the applicant changed the scope of the claims by adding limitations regarding determining whether to wrap the link to all independent claims. The examiner has determined that the change in scope is materially sufficient to necessitate search and consideration of the added limitations and/or clarifications. As a result, a final amendment is necessitated even if the examiner provides a new art rejection. The examiner acknowledges that no new matter has been added by this amendment.
3. The examiner modifies all previous art rejections in light of the amendment. However, claim 2 remains rejected by Mantha in view of Chaudhri in light of the fact that Chaudhri teaches the new limitations, and in that the remarks do not analyze Chaudhri in view of the decision process.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 2, 22, and 35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Any claim that is a child of claims 2, 22, and 35 are rejected for inheriting the deficiency. Claim 44 is not indefinite.

6. Claims 2, 22, and 35 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The omitted steps are: how to handle an unmodified (unwrapped) version of the content. Step (c) states that the link may be wrapped or unwrapped. Step (f) only mentions the wrapped version. Applicant must also disclose what happens to the unwrapped version.
7. Claim 44 does not share this deficiency, because it includes a step (g) that fulfills the requirement above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-6, 10-17, 20, 22-25, 27-33, 35-36, 38-42, 44-45, and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (6,163,779) in view of Chaudhri et al. (US 2002/0116444).
10. For claims 2, 22, 35, Mantha teaches a method (see abstract) for providing information from a network (col. 1, line 1 – col. 3, line 5) including a network device (Fig. 1), said method comprising the steps of:
- a. Receiving a request from the client device (Fig. 3, #220 and #223) at the server (Fig. 3, #225 and #227) a request for a first electronic content (Fig. 1, #225);

- b. Retrieving, by the server, said first electronic content from said network (col. 8, lines 1-30);
 - c. Identifying a link within said first electronic content (Fig. 4, #117);
 - d. Wrapping said link to obtain a wrapped version of said link (Fig. 12, #92) that identifies a resolvable address on the network (col. 11, lines 55-65; Fig 4, #117; "A HREF = "http://www.artscape.com/ceramics.html"); and
 - e. Delivering a modified version of said first electronic content, wherein said modified version of said first electronic content includes said wrapped version of said link (col. 10, lines 60-65).
11. Mantha does not expressly disclose receiving a server on a local network, a request for delivery to a destination client that is not on the local network, of electronic content that is associated with the local network, and retrieving the electronic content from within the local network. An analysis of the structure and components of Mantha, and the separation thereof, has been shown in a prior action. Chaudhri teaches a method (abstract) of saving content files, and delivering them (Paras. 1-28). Specifically, Chaudhri teaches URL modification (Paras. 51, 70-96) within a proxy (Fig. 3, #5) that delivers content from a server (Fig. 3, #40) to a client (Fig. 3, #50; Para. 113) wherein the client is on a different network from the server (Figs. 3, 5, and 6). At the time the invention was made, one of ordinary skill in the art would have used the Chaudhri structure in Mantha in order to provide improved content distribution and publisher rules handling (Paras. 9-10).
12. Mantha further teaches that said request can originate outside or inside of said network (col. 4, lines 10-30). Mantha does not expressly disclose a decision process wherein wrapping is

performed based on whether the link is resolvable by an internal or external DNS. Chaudhri teaches this limitation (Tables 3 & 4; Paras. 50-63 and 70-96). In a more particular focus, not that external links are unchanged (Paras. 78 and 89). In the alternative, note that the wrapping depends on when and whether a DNS is used (Paras. 85 and 94).

13. For claims 3, 23, Mantha teaches that the first electronic content is an electronic document (Fig. 9, #61; Fig. 14, #115) and said modified version of said first electronic content is a modified version of said electronic document (Fig. 9, #70; Fig. 14, #117).

14. For claims 4, 24, Mantha teaches that said link is a URL and said modified version of said link is a modified version of said URL (col. 1, lines 20-40).

15. For claims 5, 25, Mantha teaches that said link includes an external address portion identifying said network device (Fig. 15, "www.artscape.com"), and an internal address portion identifying a second electronic content within said network (Fig. 15, "/ceramics.html").

16. For claims 6, 26, 36, Mantha teaches that said external address portion can be resolved outside said network, and said internal address portion cannot be resolved outside said network and can be resolved in said network (col. 12, lines 8-35).

17. For claims 10, 12, 28, 38, Mantha teaches that wrapping includes inserting a reference to said network device in said modified link (Fig. 14, #117).

18. For claims 11, 13, 29, Mantha teaches that said link does not include a reference to said network device (Fig. 14, #115).

19. For claims 14, 30, 39, Mantha teaches that said link includes an address for a third electronic content in said network and said modified version of said link includes an address for said third electronic content in said network (Fig. 14; "<A HREF>" tags).

20. For claims 15, 31, 40, Mantha teaches that the method includes identifying additional links within said first electronic content; and wrapping said additional links to obtain wrapped versions of said additional links (Fig. 12, #85).
21. For claim 16, Mantha teaches determining said additional links cannot be resolved outside of said network (Fig. 12).
22. For claims 17, 32, 41, Mantha teaches that said modified version of said first electronic content contains said wrapped versions of said additional links (Fig. 16).
23. For claims 20, 33, 42, Mantha teaches that verifying that said address is fully qualified (col. 11, lines 50-65).
24. For claims 27, 37, Mantha teaches determining said link cannot be resolved outside of said network, wherein wrapping is only performed if it is determined that link should be wrapped (Figs. 11 and 12).
25. For claims 44 and 45, Mantha teaches the added limitation of determining whether a link should be resolved (Fig. 12, #87-89).
26. For claim 47, Mantha teaches that the second client device is inside of the network (col. 4, lines 10-30).
27. Claims 21, 34, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha as applied to claims 2, 22, and 35 above, and further in view of Rodkin et al. (6,581,065).
28. For claims 21, 34, 43, Mantha does not expressly disclose inserting a second link into said modified version of said first electronic content, wherein said second link addresses a fourth

electronic content not addressed by any link in said first electronic content. Rodkin teaches a method (see abstract) for modifying text files in a client server network (col. 1, lines 10-22) in which hyperlinks are added to the electronic document based on text data strings (col. 3, line 65 – col. 4, line 30). At the time the invention was made, one of ordinary skill in the art would have used the Rodkin hyperlink method to modify electronic content in order to simplify link updating (col. 3, lines 15-60).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They regard further teachings on URL wrapping.
9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELVIN H. POLLACK whose telephone number is (571)272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. H. P./
Examiner, Art Unit 2145
15 July 2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145